

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MAIDENFORM BRANDS, INC.,

Plaintiff,

Civil Action No. 10-cv-1661

v.

TIMES THREE CLOTHIER LLC,

Defendant.

TIMES THREE CLOTHIER LLC

Counterclaim-Plaintiff,

v.

MAIDENFORM BRANDS, INC.,

Counterclaim-Defendant.

MOTION TO ADMIT COUNSEL PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Kate Hutchins, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Mark G. Matuschak
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109
Phone Number: (617) 526-6559
Fax Number: (617) 526-5000

JUN 11 2010

FILED COURT
U.S. DISTRICT COURT
2010 JUN 11 PM 4:53
S.D. of N.Y.

928-906151

Mark G. Matuschak is a member in good standing of the Bar of the State of Massachusetts.

There are no pending disciplinary proceedings against Mark G. Matuschak in any State or Federal court.

Dated: June 11, 2010

Respectfully Submitted,



Kate Hutchins

Wilmer Cutler Pickering Hale and Dorr LLP
399 Park Avenue
New York, NY 10022
Phone Number: (212) 295-6414
Fax Number: (212) 230-8888

*Attorneys for Defendant
Times Three Clothier LLC*

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FOR THE SOUTHERN DISTRICT OF NEW YORK**

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Plaintiff,

v.

TIMES THREE CLOTHIER LLC,

Defendant.

Civil Action No. 10-cv-1661

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v.

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Counterclaim-Defendant.

Declaration of Kate Hutchins
In Support of Motion to Admit Counsel
Pro Hac Vice

**DECLARATION OF KATE HUTCHINS IN SUPPORT OF
MOTION TO ADMIT COUNSEL PRO HAC VICE**

I, Kate Hutchins, hereby declare as follows:

1. I am an attorney at Wilmer Cutler Pickering Hale and Dorr LLP, counsel for the Defendant in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the Defendant's motion to admit Mark G. Matuschak as counsel pro hac vice to represent the Defendant in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in October 2001. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. Mr. Matuschak is a Partner at Wilmer Cutler Pickering Hale and Dorr LLP in its Boston, Massachusetts office.

4. I have worked with Mr. Matuschak and have found him to be a skilled attorney and a person of integrity. Mr. Matuschak is experienced in federal practice and is familiar with the Federal Rules of Civil Procedure.

5. Accordingly, I am pleased to move the admission of Mark G. Matuschak, pro hac vice.

6. I respectfully submit a proposed order granting the admission of Mark G. Matuschak, pro hac vice, which is attached hereto.

WHEREFORE it is respectfully requested that the motion to admit Mark G. Matuschak, pro hac vice, to represent the Defendant in the above-captioned matter, be granted.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 11, 2010

Respectfully Submitted,



Kate Hutchins



The Commonwealth of Massachusetts
SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
JOHN ADAMS COURTHOUSE

ONE PEMBERTON SQUARE, SUITE 1300
BOSTON, MASSACHUSETTS 02108-1707

WWW.SJCCOUNTYCLERK.COM

CASE INFORMATION (617) 557-1100

FACSIMILE (617) 557-1117

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MAURA S. DOYLE
CLERK

Mark G. Matuschak
c/o Wilmer Cutler et al
60 State Street
Boston, MA 02109

IN RE: CERTIFICATES OF ADMISSION AND GOOD STANDING

Mark G. Matuschak:

Enclosed please find the two Certificates of admission and good standing which you have recently requested from this office. These certificates attest to your date of admission and good standing at the Bar of the Commonwealth of Massachusetts.

If you have any questions or if this office can be of further assistance, please do not hesitate to contact us at 617-557-1050 or visit our web site at www.sjccountyclerk.com.

Very truly yours,

MAURA S. DOYLE
Clerk
Supreme Judicial Court

MSD/ct
CL Received: June 8, 2010
enclosure

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **seventeenth** day of **January** A.D. **1985**, said Court being the highest Court of Record in said Commonwealth:

Mark G. Matuschak

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this **eighth** day of **June**

in the year of our Lord **two thousand and ten**.




MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

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Counterclaim-Defendant.

Order for Admission
Pro Hac Vice
On Written Motion

ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION

Upon the motion of Kate Hutchins, attorney for Times Three Clothier LLC, and said sponsor attorney's declaration in support;

IT IS HEREBY ORDERED that

Mark G. Matuschak
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109
Telephone/Fax: (617) 526-6559 / (617) 526-5000
mark.matuschack@wilmerhale.com

is admitted to practice pro hac vice as counsel for Times Three Clothier LLC in the above-captioned case in the United States District Court for the Southern District of New York. All

attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov.

Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: June 11, 2010
New York, NY

The Honorable George B. Daniels
United States District Judge

CERTIFICATION OF SERVICE

I, Kate Hutchins, hereby certify that on June 11, 2010, I caused to be served a true and correct copy of the Motion for Pro Hac Vice Admission of Mark G. Matuschak upon the individuals listed below, via first-class mail:

Baldassare Vinti
Proskauer Rose LLP
1585 Broadway
New York, NY 10036-8299
Attorney for Plaintiff Maidenform Brands, Inc.

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One International Place
Boston, MA 02110-2600
Attorney for Plaintiff Maidenform Brands, Inc.

Colin G. Cabral
Proskauer Rose LLP
One International Place
Boston, MA 02110-2600
Attorney for Plaintiff Maidenform Brands, Inc.

Dated: June 11, 2010



Kate Hutchins